

### **REMARKS**

Prior to the present amendment, claims 1-53 were pending and claims 54-265 were withdrawn for being directed to a non-elected invention. By this amendment, claim 1 has been amended. Accordingly, claims 1-53 are currently under examination.

#### **Rejection under 35 U.S.C. 102(b) and 35 U.S.C 103(a)**

On page 2 of the office action, claims 1-13, 18-20, 24, 28, 35, 38 and 41-51 were rejected under 35 U.S.C. 102(b) for allegedly being anticipated by U.S. Patent No. 6,130,098 to Handique et al. The examiner states that Handique teaches an apparatus for transporting fluid microdroplets. According to the examiner, the apparatus comprises an enclosed channel comprising a material, such as silicon, having a surface for adsorbing fluids, wherein the material is provided with a plurality of individually controllable resistive thermal elements that are arranged in succession along the channel that produce thermal gradients on the surface. Further, on page 5 of the office action, claims 14-17, 21-23, 25-34, 36, 37, 39, 40, 52 and 53 were rejected under 35 U.S.C. 103(a) for allegedly being anticipated by U.S. Patent No. 6,130,098 to Handique et al.

Applicants have amended claim 1 to now require that the surface be two-dimensional. Support for the amendment to claim 1 can be found in the specification as originally filed, see *inter alia*, the figures 1, 2, 3, 4, 30, 31, 32 and 33.

The examiner acknowledges that the apparatus disclosed in Handique et al. comprises an enclosed channel. The enclosed channel contains side walls. Thus, the enclosed channel **does not** contain a two-dimensional surface. Rather, the enclosed channel disclosed in Handique contains a three-dimensional surface. Thus, there is no disclosure or suggestion in Handique et al. of a two-dimensional surface.

In stark contrast to Handique, the claimed invention as amended comprises a material having a two-dimensional surface. Therefore, the claimed invention is not

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anticipated or obvious over Handique et al. Accordingly, applicants respectfully request that the rejection of the claims under 35 U.S.C. 102(b) and 103(a) over Handique et al. be reconsidered and withdrawn.

In view of the above amendments and remarks, allowance of the pending claims is earnestly requested. If the examiner has any questions or concerns regarding this amendment, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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